IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

Bail Appl..No. 6612 of 2007()

CMP.1526/2007 of J.M.F.C.,CHANGANACHERRY
C.R.NO.18/2007 OF CHANGANACHERRY EXCISE RANGE

.....

: PETITIONER/ACCUSED:

JOSEPH DEVASIA, AGED 46 YEARS,
AMBALAPARAMPIL HOUSE, PARAL KARA,
VAZHAPPALLY, CHANGANACHERRY.

BY ADV. SRI.M.P.MADHAVANKUTTY

RESPONDENTS: COMPLAINANT:

THE EXCISE INSPECTOR,
CHANGANACHERRY EXCISE RANGE, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.6612 of 2007

Dated this the 7th day of November, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 105 litres of wash on 18.10.2007. He was arrested and continues in custody from that date. The learned Public Prosecutor submits that the petitioner has no history of any criminal antecedents.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 17.11.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-